

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference SA 5326-02WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/003298	International filing date (<i>day/month/year</i>) 29.03.2004	Priority date (<i>day/month/year</i>) 04.04.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant SENNHEISER ELECTRONIC GMBH & CO. KG		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>1</u> sheets, as follows: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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	International application No. PCT/EP2004/003298
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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- international search (Rule 12.3 and 23.1(b))
 publication of the international application (Rule 12.4)
 international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
- the international application as originally filed/furnished
 the description:
 pages 1-6 _____ as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
- the claims:
 nos. _____ as originally filed/furnished
 nos.* _____ as amended (together with any statement) under Article 19
 nos.* 1 _____ received by this Authority on 03.02.2005 with the letter of 03.02.2005
 nos.* _____ received by this Authority on _____
- the drawings:
 sheets 1/2-2/2 _____ as originally filed/furnished
 sheets* _____ received by this Authority on _____
 sheets* _____ received by this Authority on _____
- a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:
- the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																								
<p>1. Statement</p> <table> <tr> <td>Novelty (N)</td> <td>Claims</td> <td>1</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td></td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>1</td> <td>NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td>1</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> </table>		Novelty (N)	Claims	1	YES		Claims		NO	Inventive step (IS)	Claims		YES		Claims	1	NO	Industrial applicability (IA)	Claims	1	YES		Claims		NO
Novelty (N)	Claims	1	YES																						
	Claims		NO																						
Inventive step (IS)	Claims		YES																						
	Claims	1	NO																						
Industrial applicability (IA)	Claims	1	YES																						
	Claims		NO																						
<p>2. Citations and explanations (Rule 70.7)</p> <p><u>Citations:</u></p> <p>D1: US 2002/197957 A1</p> <p>D2: US-A-5 949 382 (QUAN CLIFTON) 7 September 1999 (1999-09-07)</p> <p>1. The use of parentheses in the claims is for reference signs only and not for text (PCT Article 6).</p> <p>2. The following features from independent claim 1 are known from document D1; see, in particular, figure 1:</p> <p>wireless microphone system (100) with an attached antenna (28), which form a mechanical unit.</p> <p>The reference signs relate to D1.</p> <p>It is normal to a person skilled in the art to use a circulator or an isolator with an antenna, for example so that the transmitter amplifier can function to an optimum degree (see the</p>																									

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<p>Box No. V</p>	<p>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p>
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application, page 2 of the description). More particularly, the circulator can be integrated so that the antenna and the circulator can be attached or screwed on together (see, for example, D2).

If a person skilled in the art were confronted with the problems

- of altering the microphone from D1 (or a normal cordless microphone) so that the antenna can easily be replaced (e.g. when it is broken or so that it works in a different frequency range);
- of optimising operation of the amplifier in the cordless microphone from D1,

said person being aware of D2, it would have been obvious to him to connect the antenna to a circulator and to integrate the two in a replaceable block, as in D2.

Claim 1 is therefore not inventive in relation to the combination of D1 and D2 (PCT Article 33(3)).

3. The features of the claims are not followed by reference signs placed between parentheses (PCT Rule 6.2(b)).
4. Contrary to PCT Rule 5.1(a)(ii), the description does not cite documents D1 and D2 or indicate the relevant prior art disclosed therein.

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement